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6 IN THE UNITED STATES DISTRICT COURT
7 DISTRICT OF ARIZONA

8 United States of America,

No. 08-7035-M

9
10 Plaintiff,

ORDER

11 vs.

(First Request)

12 Fernando Rodriguez-Hernandez,

13 Defendant.
14

15 HAVING considered Defendant Fernando Rodriguez-Hernandez's Motion to
16 Extend Time to Indict and good cause having been shown;

17 THE COURT makes the following findings:

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- 19 1. Counsel for defendant has only recently been appointed;
 - 20 2. The defendant earnestly wishes to consider the plea offer extended by
the government;
 - 21 3. The defendant wishes to investigate possible defenses prior to
22 considering the government's plea offer;
 - 23 4. The government's plea offer, if accepted by the defendant and then the
24 court, would likely reduce defendant's exposure to a significant term
of imprisonment;
 - 25 5. If the defendant does not timely accept the plea offer prior to
26 indictment, the government will withdraw said plea offer and any
subsequent plea offer after indictment would likely be less
27 advantageous to the defendant;

28 . . .

6. Failure to extend time for indictment in this instance would thus operate to bar defendant from reviewing the government's plea offer in a meaningful way prior to indictment; and

IT IS HEREBY ORDERED that defendant's Motion to Extend Time for Indictment requesting an extension of thirty (30) days within the government may seek to indict defendant, is hereby granted.

DATED this 5th day of March, 2008.